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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/559,372

Filing Date

December 6, 2005

First Named Inventor

Robert Price et al.

Art Unit

3743

Examiner Name

TBA

Attorney Docket Number

105699

ENCLOSURES (Check all that apply)

Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)

Reply to Missing Parts/
Incomplete ApplicationReply to Missing Parts
under 37 CFR 1.52 or 1.53

Drawing(s)



Licensing-related Papers



Petition

Petition to Convert to a
Provisional ApplicationPower of Attorney, Revocation
Change of Correspondence Address

Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



Landscape Table on CD



After Allowance Communication to TC

Appeal Communication to Board
of Appeals and InterferencesAppeal Communication to TC
(Appeal Notice, Brief, Reply Brief)

Proprietary Information



Status Letter

Other Enclosure(s) (please identify
below):

1 - Letter to Patent Office (1 page)

2 - Executed Oath/Declaration (4 pages)

Remarks

This 371 Patent Application was filed 12/6/2005 without the Declaration. No Missing Requirement has been received. Applicants are submitting their executed Declaration.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Polsinelli Shalton Welte Suelthaus PC

Signature

Printed name

Brian B. Diekhoff

Date

November 28, 2006

Reg. No.

46353

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

M. Sue Clements

Date

November 28, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2006

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

65

Complete if Known

Application Number	10/559,372
Filing Date	December 6, 2005
First Named Inventor	Robert Price et al.
Examiner Name	TBA
Art Unit	3743
Attorney Docket No.	105699

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-1662 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180
Total Claims	Extra Claims	Fee (\$)
- 20 or HP = _____ x _____ = _____		
HP = highest number of total claims paid for, if greater than 20.		
Indep. Claims	Extra Claims	Fee (\$)
- 3 or HP = _____ x _____ = _____		
HP = highest number of independent claims paid for, if greater than 3.		

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

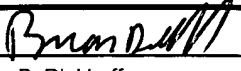
4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Late filing surcharge

65

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 46353	Telephone 314-889-8000
Name (Print/Type)	Brian B. Diekhoff		Date 11-28-2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Robert Price et al.	Art Unit 3743
Serial No.: 10/559,372	Examiner: TBA
Filed: December 6, 2005	Conf. No. TBA
For: DELIVERY DEVICE FOR A POWDER AEROSOL	

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER TO THE PATENT OFFICE REGARDING DECLARATION

SIR:

Pursuant to 35 U.S.C. 371, the above-referenced Patent Application was filed December 6, 2005. No filing receipt or Notice of Missing Requirements have been received by Applicants. Applicants' respectfully enclose an executed Declaration and request it be made of record herein.


The Commissioner is hereby authorized to charge the Late Filing Surcharge of \$65.00 and any other fees associated with this paper, or credit any overpayments, to Deposit Account No. 50-1662.

11/30/2006 LLANDGRA 00000015 501662 10559372
01 FC:2617 65.00 DA

Respectfully submitted,

POLSINELLI SHALTON WELTE SUELTHAUS PC

Date: November 28, 2006



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Attorney for Applicants

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)			Matter No.	
Applicant(s): Robert Price et al.			105699	
Serial No.	Filing Date	Examiner	Art Unit	Confirmation No.
10/559,372	December 6, 2005	TBA	3743	TBA


Invention: DELIVERY DEVICE FOR A POWDER AEROSOL

I hereby certify that:

- ☒ Fee Transmittal for FY 2006 (1 page in duplicate);
- ☒ Letter to Patent Office Regarding Declaration (2 pages);
- ☒ Declaration for Utility or Design Patent Application (37 CFR 1.63) (4 pages);
- ☒ Certificate of Mailing by Express Mail (1 page);
- ☒ Stamped, pre-addressed postcard; and
- ☒ Authorization to charge fees due, or credit any overpayment, to Deposit Account No. 50-1662,

are being mailed by U.S. Postal Service Express Mail to Addressee to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 28th day of November, 2006.

M. Sue Clements
 (Typed or Printed Name of Person Mailing Correspondence)


 (Signature of Person Mailing Correspondence)

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